

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

**DALE W. ADAMS and
CYNTHIA LONG ADAMS,**

Plaintiffs,

v.

**Civil Action No. 3:06-cv-65
(BAILEY)**

**RUSH TRUCKING CORPORATION,
a corporation, and
DENNIS LEE GILKINSON,**

Defendants.

ORDER

On this day, the above-styled matter came before the Court for consideration of the Plaintiffs' Motion to Amend [Doc. 101]. Having reviewed the plaintiff's motion and the defendants' response thereto [Doc. 118], it is the opinion of the Court that this motion should be, and is hereby **GRANTED in part** and **DENIED in part**, as follows:

1. Plaintiffs shall be permitted to amend the Complaint to correct the spelling of Dennis Lee Gilkison.
2. Plaintiffs shall be permitted to amend the Complaint to add Haley Adams as a party plaintiff, and to add a cause of action for loss of parental consortium on her behalf. All deadlines currently set to expire after the date of this Order, with the exception of the trial and pretrial conference, are hereby extended by sixty (60) days.
3. A **trial** in this matter will commence **January 15, 2008, starting at 8:30 a.m. each day.**
4. A **pretrial conference** will be held on **December 17, 2008, at 2:30 p.m.**

5. Plaintiffs shall not be permitted to add Expedited Delivery Services, Inc., Blazer Truck Lines, Inc., Raycan Transport, Inc., and Andra M. Rush as parties defendant, or to assert against them two new causes of action under Counts II and III for “joint venture” and “piercing the corporate veil,” respectively.

The Clerk is directed to mail copies of this Order to all counsel of record.

DATED: July 11, 2007.

/s/ John Preston Bailey
JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE